

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 36089

STATE OF IDAHO,)	2009 Unpublished Opinion No. 576
)	
Plaintiff-Respondent,)	Filed: August 20, 2009
)	
v.)	Stephen W. Kenyon, Clerk
)	
JAVIS LYNNARDO JACKSON,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Deborah A. Bail, District Judge.

Judgment of conviction and unified sentence of ten years, with a minimum period of confinement of three years, for aggravated assault with an enhancement for use of a firearm during the commission of the crime, affirmed.

Greg S. Silvey, Kuna, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

Before LANSING, Chief Judge, PERRY, Judge
and GRATTON, Judge

PER CURIAM

Javis Lynnardo Jackson was convicted of aggravated assault, Idaho Code §§ 18-901(b), 18-905(a), with an enhancement for use of a firearm during the commission of the crime, I.C. § 19-2520. The district court imposed a unified sentence of ten years, with a minimum period of confinement of three years. Jackson appeals, contending that the sentence is excessive.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of a sentence are well established and need not be repeated here. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing

the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Jackson's judgment of conviction and sentence are affirmed.